Remarks

This application is a divisional application of USSN 09/611,627. The parent application contained 36 claim that were subject to a restriction requirement and a requirement to elect up to ten sequences for examination (Paper 6, mailed November 24, 2000). Applicants responded on December 22, 2000 and elected SEQ ID NOs. 2, 7, 9, 10, 11, 12, 14, 16, 17, and 18 for examination. A notice of allowance was mailed for USSN 09/611,627 on June 3, 2003. This divisional application claims embodiments that were not elected in the parent application.

The Specification

The specification of the divisional application submitted herewith has been amended in the first paragraph (page 1, lines 4-6) to include the statement related to claiming the benefit of the parent application and a U.S. provisional application. Specifically, this application is a divisional of U.S. application no. 09,611,627, filed July 7, 2000, and claims the benefit under 35 U.S.C. §119(e) of U.S. provisional application no. 60/143,072, filed July 9, 1999, and the contents of both cited applications have been incorporated by reference into the present application. Because the specification filed herewith already changed the first paragraph to include the benefit claim statement described above, these changes were not presented in a separate section in this preliminary amendment. If a separate statement showing the amendment to the specification in the first paragraph is needed, Applicants' representative requests that the Examiner address this issue in the first official action.

Except for the changes to the first paragraph of the specification described above, the disclosure of this divisional application is that of the parent application no. 09/611,627, although pagination may have changed due to the changes to the first paragraph and/or printer variation. No new matter has been added.

PRELIMINARY AMENDMENT

Divisional Application Claiming Priority to
U.S. Ser. No. 09/611,627, filed July 7, 2000
Atty. Docket No. GP103-03.DV1

Claims

This preliminary amendment presents claims that are drawn to embodiments that include sequences that were not among the elected sequences for examination in the parent application. Specifically, the sequences presented in the independent claims of this preliminary amendment are those that are specific for the *pol* sequences of HIV-1.

Upon entry of this amendment, claims 1 to 36 of the specification filed herewith will be canceled and new claims 37 to 56 will be presented for examination. Independent claim 37 is drawn to a method of detecting HIV-1 nucleic acid in a biological sample, and claims 38 to 47 depend ultimately from claim 37. Independent claim 48 is drawn to a kit comprising a combination of oligomers and claim 49 depends from claim 48. Independent claim 50 is drawn to a composition comprising a combination of at least two oligomers and claims 51 to 56 depend ultimately from claim 50.

Support for these amendments is provided throughout the specification, particularly in Examples 1 to 4, 9 and 10.

Selected Sequences with SEQ ID NOS

To assist the Examiner in examination of the claims related to particular SEQ ID Nos, Applicants provide the following approximate alignments of nucleic acid sequences referred to by the SEQ ID Nos in the paper Sequence Listing that is filed herewith, which is identical to the Sequence Listing of the parent application.

acagcagtacaaatggcag	NO:10
acaaatggcagtattcatccaca	NO:11
acagcagtacaaatgg	NO:42

gtttgtatgtctgttgctattatgtcta	NO:12
gtttgtatgtctgttgctattat	NO:14
aatttaatacgactcactatagggagagtttgtatgtctgttgctattatgtcta	NO:13
aatttaatacgactcactatagggagagtttgtatgtctgttgctattat	NO:15
aatttaatacgactcactatagggaga gtatgtctgttgctattatgtcta	NO:43
aatttaatacgactcactatagggagaagtttgtatgtctgttgctattat	NO:44

ccacaattttaaaagaaaaggg	NO:17
tcatu cacaattttaaaagaaaaggnggna	NO:46
ccacaattttaaaagaaaaggggggattgg	NO:47
ggattggngggtacagt	NO:18
agaaaaggngggattggg	NO:50
aggngggattggngggtaca	NO:51
ggngg attggngggtacagt	NO:52
gggattggngggtacagtg	NO:53

These alignments are provided to assist the Examiner in seeing the structural relatedness of the sequences. If the Examiner has any questions regarding these approximate alignments, the Examiner is requested to contact the Applicants' representative at the telephone number provided at the end of this preliminary amendment.

Applicants believe that this application is complete and in condition for examination. If there are any minor matters that need to be addressed before substantive examination of the application, the Examiner is requested to contact the Applicants' representative at the telephone number provided at the end of this preliminary amendment.